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Attorneys for Defendants  
 J. CRAIG HAMILTON, JR. and JOHN D.  
 FARRALD, individually and as co-trustees of  
 PLEXCO TRUST, and PLEXCO TRUST

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

<p>In Re:</p> <p>JRL PROPERTIES INTERNATIONAL, INC.</p> <p style="text-align: center;">Debtor.</p>	<p>Case No. 04-47072-DML-11</p> <p>Chapter 11          (Pending in the United States Bankruptcy          Court, Northern District of Texas, Fort          Worth Division)</p>
<p>MICHAEL R. ALLEN,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>J. CRAIG HAMILTON, JR., Individually and          as Trustee of PLEXCO TRUST, JOHN D.          FARRALD as Trustee of PLEXCO TRUST,          PLEXCO TRUST, a California trust, and          DOES 1-10, Inclusive,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. CO7 03382 PVT</p> <p><b>[PROPOSED] ORDER GRANTING          MOTION FOR REMAND, RELIEVING          PLAINTIFF OF HIS DEFAULT, AND          GRANTING DEFENDANTS LEAVE TO          FILE CROSS-COMPLAINT          (PROPOSED)</b></p>

The parties having stipulated thereto and GOOD CAUSE APPEARING THEREFORE,  
 IT IS ORDERED that

1. Plaintiff's Motion for Remand is granted. The case is remanded to the Superior  
 Court of California for the County of Monterey.

1           2.       The Clerk's Entry of Default is vacated. Since the case is remanded to the  
2       Monterey County Superior Court and there is no counterclaim procedure in the California State  
3       Court, defendants are to be granted leave to file a cross-complaint.

4           3.       No fees or costs are awarded to either side. Each party shall pay his or its own  
5       attorneys' fees and costs.

6           4.       Defendants shall have 60 days, from the date of remand, to file a responsive  
7       pleading and cross-complaint in Monterey County Superior Court. Applicable statutes of  
8       limitation, if any, are tolled during such 60 days.

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10       Dated: August \_\_\_, 2007

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Magistrate Judge Patricia Trumbull